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4 UNITED STATES DISTRICT COURT

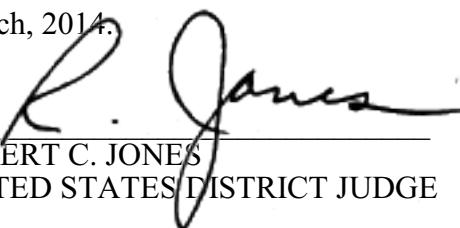
5 DISTRICT OF NEVADA

6 MICHAEL D. BYARS) * * *
7 Plaintiff,) CASE NO.: 3:14-00075-RCJ-WGC
8 v.)
9 WILLIAM MURWIN, et al.,)
10 Defendants.)
11 _____)
)

12 The Court has considered the Report and Recommendation of United States Magistrate
13 (ECF #8) entered on February 18, 2014, in which the Magistrate Judge recommends that the Court
14 allow some claims against defendants to proceed, some claims be dismissed with leave to amend, and
15 other claims be dismissed without leave to amend. The Court has considered the pleadings and
16 memoranda of the parties and other relevant matters of record and has made a review and
17 determination in accordance with the requirements of 28 U.S.C. § 636 and applicable case law, and
18 good cause appearing, the court hereby,

19 ADOPTS AND ACCEPTS the Report and Recommendation of the United States
20 Magistrate Judge (ECF #8).¹

21 IT IS SO ORDERED this 20TH day of March, 2014.

22 
23 ROBERT C. JONES
24 UNITED STATES DISTRICT JUDGE
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1The Court notes however, whether Plaintiff's § 1983 claims are *Heck*-barred remains to be briefed, and this issue may well cause the dismissal of all Plaintiff's federal claims.

In the event Plaintiff's federal claims are dismissed as *Heck*-barred, the Court would be inclined to dismiss the supplemental, state-law assault claim embraced in Count 2.